

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 ANTHONY BROOKS,

4 Plaintiff

Case No. 3:20-cv-00183-MMD-CLB

**ORDER**

5 v.

6 NEVADA DEPARTMENT OF  
7 CORRECTIONS ACCOUNTING  
8 DEPARTMENT SUPERVISOR

9 Defendant

10 **I. DISCUSSION**

11 Plaintiff, who is an inmate in the custody of the Nevada Department of Corrections  
12 (“NDOC”), has filed a notice of complaint. (ECF No. 1-1). Plaintiff has not filed a  
13 complaint or an application to proceed *in forma pauperis* in this matter.

14 Under Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a  
15 complaint with the court.” Fed. R. Civ. P. 3. As such, the Court grants Plaintiff sixty (60)  
16 days from the date of this order to submit a complaint to this Court.

17 Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an  
18 application to proceed *in forma pauperis* and attach both an inmate account statement  
19 for the past six months and a properly executed financial certificate. Plaintiff will be  
20 granted an opportunity to file an application to proceed *in forma pauperis*, or in the  
21 alternative, pay the full \$400 filing fee for this action. If Plaintiff chooses to file an  
22 application to proceed *in forma pauperis*, he must file a fully complete application to  
23 proceed *in forma pauperis* and attach both an inmate account statement for the past six  
24 months and a properly executed financial certificate.

25 **II. CONCLUSION**

26 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court WILL SEND  
27 Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well  
28 as the document entitled information and instructions for filing an *in forma pauperis*

1 application.

2 IT IS FURTHER ORDERED that within **sixty (60) days** from the date of this order,  
3 Plaintiff must either: (1) file a fully complete application to proceed *in forma pauperis*, on  
4 the correct form with complete financial attachments in compliance with 28 U.S.C. §  
5 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing  
6 fee and the \$50 administrative fee).

7 IT IS FURTHER ORDERED that Plaintiff will submit a complaint to this Court within  
8 **sixty (60) days** from the date of this order.

9 IT IS FURTHER ORDERED that the Clerk of the Court will send to Plaintiff the  
10 approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same. The  
11 Clerk of the Court will also send Plaintiff a copy of his notice of complaint. (ECF No. 1-  
12 1).

13 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,  
14 dismissal of this action may result.

15 DATED: March 24, 2020.

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18 UNITED STATES MAGISTRATE JUDGE  
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